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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

F.H., *et al.*,

Plaintiffs,

Civil Action No. 19-14465 (SDW)

(LDW)

v.

WEST MORRIS REGIONAL HIGH  
SCHOOL BOARD OF EDUCATION  
and NEW JERSEY DEPARTMENT  
OF EDUCATION and its

COMMISSIONER, ANGELICA  
ALLEN-MCMILLAN (in her official  
and individual capacity)

Defendants

**ORDER TO SHOW CAUSE FOR A  
TEMPORARY RESTRAINING  
ORDER AND PRELIMINARY  
INJUNCTION**

**ORAL ARGUMENT REQUESTED**

**THIS MATTER** having been brought before the Court by Plaintiffs, through its counsel, by Order to Show Cause seeking a temporary restraining order and preliminary injunction pursuant to Federal Rule of Civil Procedure 65 and Local Civil Rule 65.1, and upon the Amended Verified Complaint, Certification and Brief in Support of Order to Show Cause submitted herewith, the Court, having determined that good and sufficient reasons exist to proceed by way of Order to Show Cause to enforce its Order, and for good cause shown.

**IT IS** on this \_\_\_\_ day of \_\_\_\_\_, 2021, **ORDERED** that the Defendants appear and show cause on the \_\_\_\_ day of \_\_\_\_\_, 2021, before the

United States District Court for the District of New Jersey, Honorable Susan D.

Wigenton at the \_\_\_\_\_ US Courthouse, located at 50 Walnut Street,  
Newark, New Jersey \_\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, or as soon thereafter as  
counsel can be heard, why an Order should not be entered;

1. Plaintiffs' Complaint is hereby amended adding NEW JERSEY  
DEPARTMENT OF EDUCATION and its COMMISSIONER ANGELICA ALLEN-  
MCMILLAN (in her official and individual capacity) as a Defendants;

2. Defendants, NEW JERSEY DEPARTMENT OF EDUCATION and its  
COMMISSIONER ANGELICA ALLEN-MCMILLAN shall immediately cause a new  
final decision and order consistent with the mandate of this Court's Order and Opinion  
of 12/8/20 to be filed within \_\_\_\_\_ days of this Order; or in the alternative,

3. This Court shall issue the Order and Opinion itself.

4. Granting such other relief as the Court deems equitable and just.

And it is further **ORDERED** that:

1. A copy of this Order to Show Cause, Motion to Amend, Amended Verified  
Complaint, Certification, and Brief in Support of Order to Show Cause submitted in  
support of this application, together with a summons, shall be served upon Defendants,  
NEW JERSEY DEPARTMENT OF EDUCATION and its COMMISSIONER  
ANGELICA ALLEN-MCMILLAN personally within \_\_\_\_\_ days of the date hereof, in  
accordance with F.R.C.P. 4.

2. Plaintiffs must file with the Court proof of service of the pleadings on the

Defendants no later than three (3) days before the return date.

3. Defendants shall file and serve a written response to this Order to Show Cause and proof of service by \_\_\_\_\_, 2021. You must send a courtesy copy of your opposition papers directly to Judge Susan D. Wigenton, whose address is: 50 Walnut Street, Newark, New Jersey.

4. Plaintiffs must file and serve any written reply to the Defendants' opposition to the Order to Show Cause by \_\_\_\_\_, 2021. A courtesy copy of the reply papers must be sent directly to the chambers of Judge Susan N. Wigenton.

5. If the Defendants do not file and serve opposition to this Order to Show Cause, the application will be decided on the papers on the return date and relief may be granted by default, provided that Plaintiffs file a proof of service and a proposed form of Order at least three days prior to the return date.

6. If Plaintiffs have not already done so, a proposed form of Order addressing the relief sought on the return date (along with a self-addressed return envelope with return address and postage) must be submitted to the Court no later than three (3) days before the return date.

7. The Court will notify the parties whether it will entertain argument on the return date of the Order to Show Cause in accordance with Local Civil Rule 78.1.

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Honorable Susan D. Wigenton, U.S.D.J.